

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JAMES K. BREMEL,

Plaintiff,

v.

ORDER

17-cv-347-wmc

JOHN DOE PROPERTY SERGEANT, *et al.*,

Defendants.

Pro se plaintiff James K. Bremel is proceeding on Eighth Amendment claims based on the treatment of his hand from January 2016 through January 2017.¹ On May 14, 2021, state defendants Beth Edge and Jolinda Waterman filed a motion for summary judgment, as did defendant Tanya Bonson. (Dkt. ##32, 39.) The court set June 14, 2021, as plaintiff's opposition deadline. On June 4, 2021, remaining defendant Rebecca Tracy filed a motion for summary judgment, and the court set July 6, 2021, as Bremel's second opposition deadline. (Dkt. ##44, 50.) These deadlines have passed, and Bremel has not responded to any defendant's motion or contacted the court seeking an extension of that deadline or regarding a change of address.²

Bremel's failure to respond to defendants' motions, or to take any other action indicating that he is preparing an opposition, suggests that he has abandoned this lawsuit.

¹ On January 23, 2020, the court consolidated Bremel's two related cases, case no. 17-cv-347-wmc and case no. 17-cv-348-wmc, and allowed him to proceed under case no. 17-cv-347-wmc. (Dkt. #4 at 14.)

² Bremel was released to extended supervision in 2017. At his April 2021 deposition, Bremel confirmed his mailing address, and that he had lived there for three and a half years. (Dkt. #26 at 8.) Having received no indication that this address is now incorrect, the court assumes that Bremel has received defendants' summary judgment materials as well as the court's deadlines to respond.

Accordingly, the court will give Bremel one more chance to respond: he now has until August 3, 2021, to file an opposition to defendants' motions for summary judgment. His failure to meet this deadline will cause the court to dismiss this case with prejudice for failure to prosecute, pursuant to Federal Rule of Civil Procedure 41(b).

ORDER

IT IS ORDERED that plaintiff James K. Bremel may have until **August 3, 2021**, to file a response to defendants' motions for summary judgment. **If Bremel does not respond by that date, the court will dismiss his claims with prejudice.**

Entered this 13th day of July, 2021.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge